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660 N CENTRAL EXPRESSWAY SUITE 230
PLANO TX 75074

EXAMINER

RICE, K

ART UNIT

PAPER NUMBER

3611

3

07/17/98

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474..
6.

Part II SUMMARY OF ACTION

1. Claims 1-19 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims 10-12 are allowed.
4. Claims 1-9 + 13-16 are rejected.
5. Claims 17-19 are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

EXAMINER'S ACTION

PART III: REASONS FOR REJECTIONS AND OBJECTIONS

The following is a quotation of the appropriate paragraphs of 35 USC 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-16 are rejected under 35 USC 102(b) as being clearly anticipated by Glaze.

The following is a quotation of 35 USC 103 which forms the basis for all obviousness rejections set forth in this Office action:

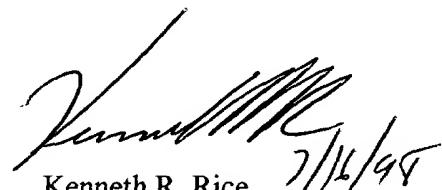
A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-9 are rejected under 35 USC 103 as being unpatentable over Pierce Et Al in view of Adams. Pierce et al discloses the invention substantially as claimed. However, Pierce et al does not disclose a king pin mounting for a steerable wheel nor the use of an end cap on the axle. Adams teaches the use of a king pin mounting with an axle in the same field of endeavor for the purpose of providing a mounting for a steerable wheel. It is common knowledge in the prior art to use an end cap on a hollow axle in the same field of endeavor for the purpose of keeping water and dirt out of the axle interior. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a king pin mounting on the axle in the suspension of Pierce et al as taught by Adams in order to provide a mounting for a steerable wheel, and to provide an end cap on the axle as is common in the prior art in order to protect the axle interior from water and dirt.

Claims 10-12 are allowable over the prior art of record.

Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Rice at (703) 308-3495. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-1113.



Kenneth R. Rice
Primary Examiner
Art Unit 3611

7/16/98